

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Andrew A. Rogers,

Plaintiff,

v.

Case NO. 2:13-cv-352

Commissioner of Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the January 6, 2014, report and recommendation of the magistrate judge, recommending that plaintiff's motion for attorney fees under the Equal Access to Justice Act be granted. The Commissioner did not file a response to plaintiff's motion.

The report and recommendation specifically advised the parties that the failure to object to the report and recommendation within fourteen days of the report would result in a "waiver of the right to have the district judge review the Report and Recommendation de novo, and ... of the right to appeal the decision of the District Court adopting the Report and Recommendation." Doc. 24, p. 3.

The court has reviewed the report and recommendation of the magistrate judge. Noting that no objections have been filed and that the time for filing such objections has expired, the court adopts the report and recommendation of the magistrate judge (Doc. 24). Plaintiff's motion for attorney fees (Doc. 23) is granted, and plaintiff is awarded attorney fees under the Equal Access to Justice Act in the amount of \$3,964.40, to be paid to plaintiff unless there is an offsetting debt owed to the United States.

It is so ordered.

Date: January 24, 2014

s/James L. Graham

James L. Graham

United States District Judge